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April 12, 2012

**By Fax: 212-805-6382**

The Honorable Victor Marrero, USDJ  
United States District Court  
Daniel Patrick Moynihan Federal Courthouse  
500 Pearl Street  
New York, New York 10007

USDC SDNY
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**Re: Adams et al v. NY State et al 08-CV-5996 (VM) (AJP)**  
Extension of Time to Move for Reconsideration

Dear Judge Marrero:

I write to you for a very badly needed extension to make arguments, and cite case law upon which it is hoped that you will reconsider the sanction against me that you Ordered this week.

I solely write on my own behalf, because unless he changes his mind, Mr. Penkovsky has told me that he is going directly to an Appeal of Your Honor's decision to the Second Circuit Court of Appeals.

In the next two weeks I must accomplish all of the following:

An Article 78 Petition to Appeal the Decision of the NYS Div. Hum. Rights which must be filed within 60 days of its receipt where the client only recently contacted me. Must be filed on or before April 23<sup>rd</sup>.

A renewal of an Article 75 Petition which could not be timely responded to because of the health of the Petitioner, including a medically induced coma as the indicated therapeutic regimen.

Another reconsideration before His Honor Judge Daniels which was due today and for which I am awaiting His Honor's response on the my request for an extension.

Drafting of an "as of right" amended complaint in a new action before Her Honor Judge Townes, before the window per FRCP 15a. closes and I may only amend on motion.

Drafting of a new complaint to be submitted to the EDNY (Suffolk venue), for a teacher with a perfect record who has just begun to be unfairly treated as his salary rose, but who has no recourse no that all administrative remedies have been given away by the UFT. Since the man lives in Nassau County I prefer it be presided over by the furthest USDJ from Michael Bloomberg as possible. This must be filed

and served before the Annual Professional Performance Reviews are forwarded to Community School Superintendents in about four weeks for their review.

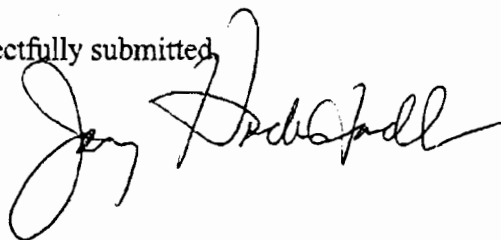
Research and drafting, of the motion for Reconsideration of the matter before Your Honor. Each of these tasks is a two to three week full-time task in itself.


I must once again, reemphasize to the Court, that the way His Honor Magistrate Peck managed the case, and also the way it was presented and viewed before I appeared in the case, complained of some of the symptoms, but did not adequately articulate the core ill which I still believe has been wrongly decided and I will likely petition for a writ of certiorari if plaintiffs in Adams et al are not granted rehearing/rehearing *en banc* by the Second Circuit Court of Appeals. That ill is the misuse of the disciplinary system to bring tenured teachers up on bogus charges, and then arrange the entire process to serve to turn tenure into "at will" employment because he Mayor announced he wanted to reduce the average teacher's salary by \$10,000.00 and reduce the teacher workforce from 80,000 to 50,000. Discontinuing non-tenured teachers would have increased both the average salary, and the percent of the workforce which was tenured, meaning a majority of the UFT membership would never ratify a contract that did not strengthen tenure.

I always wondered why the UFT allowed the DOE to get away with sliding down the "slippery slope" until now we are at its very nadir. I have recently learned that the rights of the membership were capitulated to promote the very personal agendas of the present, and most recent past UFT Presidents.

The details shall come later in my brief/memorandum. In light of the above workload schedule and my deteriorating vision which slows me down considerably, please allow me five additional weeks in which to prepare it, i.e. until May 22, 2012.

Respectfully submitted,



Request DENIED. This matter has been more than thoroughly argued and reargued. Any further briefing at this point would be not only repetitious, but counterproductive and futile.	
SO ORDERED:	
4-13-12	
DATE	VICTOR MARRERO, U.S.D.J.